

Message Text

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PAGE 01 BELIZE 00254 131547Z

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ACTION ARA-20

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FM AMCONSUL BELIZE

TO SECSTATE WASHDC 3472

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E. O. 11652: N/A

TAGS: CASC, BH

SUBJECT: JEROME KOS AND FAMILY

REF: STATE 092728

1. DURING MY VISIT TO BALMOPAN YESTERDAY, I DISCUSSED CONTENTS REFTEL WITH SUPERINTENDENT ESMOND WILLOUGHBY TOP BELIZEAN POLICE OFFICIAL. LATTER PRODUCED THICK FILE WHICH CONTAINED MEMORANDA OF PREVIOUS REPRESENTATIONS CONGEN HAS MADE AT VARIOUS LEVELS OF GOB TOGETHER WITH COPIES OF RESULTING INSTRUCTIONS TO SAN IGNACIO POLICE AND INVESTIGATION REPORTS FROM THE LATTER. READING THROUGH THESE, I COULD SEE THAT URGENCY OF SUPERINTENDENT'S INTEREST IN CASE HAD BEEN CLEARLY COMMUNICATED TO LOCAL POLICE, AND I NOTED THAT WILLOUGHBY'S INSTRUCTIONS TO SAN IGNACIO ALSO EMPHASIZED MINISTER ROGERS' INTEREST.

2. SOME OF THE REPORTS FROM SAN IGNACIO POLICE SPOKE OF A VARIETY OF DIFFICULTIES INVESTIGATING OFFICERS HAVE HAD IN OBTAINING KOS FAMILY COOPERATION IN DEVELOPING EVIDENCE OF DAMAGE DONE.

3. ONE INVESTIGATION OFFICER'S REPORT, BASED ON INTERVIEWS WITH THIRTEEN OF KOS' NEIGHBORS, STATED THAT A NUMBER OF KOS' CATTLE HAD CROSSED THE RIVER AND HAD CAUSED DAMAGE TO CROPS ON GUATEMALAN SIDE WHICH POLICE CONCLUDED HAD LED TO AT LEAST SOME OF THE PHYSICAL MALTREATMENT AND PERHAPS EXPLAINED SOME OF THE CATTLE LOSSES KOS HAD COMPLAINED OF. POLICE HAD RECOMMENDED THAT KOS BUILD A FENCE

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PAGE 02 BELIZE 00254 131547Z

TO KEEP HIS CATTLE FROM CROSSING THE RIVER.

4. POLICE ACKNOWLEDGED THERE HAD BEEN SQUATTER ENCROACHMENT ON LAND GOB HAS ACQUIRED FROM KOS, BUT STEPS HAD BEEN TAKEN TO PREVENT FURTHER SQUATTER INCURSIONS UNTIL LAND IS PROPERLY SURVEYED AND ALLOCATED. POLICE APPARENTLY FAILED TO FIND EVIDENCE OF SQUATTER ACTIVITY ON TRACTS STILL OWNED BY KOS.

5. AS REGARDS KOS' BELIEF THAT HE IS BEING SUBJECTED TO DISCRIMINATION, SUPERINTENDENT WILLOUGHBY POINTED OUT THAT THERE HAVE BEEN A SIZEABLE NUMBER OF ACQUISITIONS OF LAND WHICH GOB HAS DEEMED NOT BEING FULLY UTILIZED. CONGEN WILL CONTINUE TO LOOK INTO POSSIBILITY THAT ACQUISITION OF KOS LANDS HAS BEEN DISCRIMINATORY; HOWEVER, THIS WOULD BE DIFFICULT TO ESTABLISH ON THE BASIS OF THE INFORMATION WE HAVE SO FAR.

6. RE ADJUDICATION OF COMPENSATION DUE KOS FOR ACQUISITION, DATE OF INITIAL HEARING HAD BEEN ADVANCED TO MAY 6 WHICH SUPREME COURT JUDGE MALONE TOLD ME HAD BEEN DONE IN RESPONSE TO REPRESENTATIONS BY CONGEN. HOWEVER, KOS' ATTORNEY MOVED IMMEDIATELY TO REQUEST ADJOURNMENT FOR WEEK TO ALLOW TIME FOR PREPARATION OF A WRIT CHALLENGING LEGALITY OF GOB'S ACQUISITION. THIS WRIT WILL HAVE TO BE DISPOSED OF BEFORE CASE CAN AGAIN COME UP FOR DETERMINATION OF COMPENSATION DUE KOS.

7. CONGEN IS OF THE OPINION THAT BELIZEAN POLICE, WITHIN THE LIMITATIONS OF THEIR CAPABILITIES, HAVE MADE A SINCERE AND SUSTAINED EFFORT TO INVESTIGATE KOS COMPLAINTS AND TO PROTECT HHS PROPERTY.

8. WE WILL CONTINUE TO KEEP AN EYE ON THE CASE AND WILL DO ALL WE CAN TO ASSIST KOS FAMILY.

GAWF

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